

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: 5:18-cv-01042-RGK-MAA Date: January 14, 2020

Title: Rollen v. Peery

Present: The Honorable MARIA A. AUDERO, United States Magistrate Judge

Chris Silva
Deputy Clerk

N/A
Court Reporter / Recorder

Attorneys Present for Plaintiff:
N/A

Attorneys Present for Defendants:
N/A

**Proceedings (In Chambers): Order to Show Cause Why Respondent Has Failed to File a
Timely Motion to Dismiss or Answer**

On September 27, 2019, the Court granted Petitioner leave to amend his petition for writ of habeas corpus and ordered Petitioner to file a Second Amended Petition (“SAP”). (ECF No. 43, at 2.) The Court ordered Respondent to file a motion to dismiss by no later than 30 days after the SAP was filed, or in the alternative to file an answer by no later than 45 days after the SAP was filed. (*Id.*) Petitioner filed his SAP on November 18, 2019. (ECF No. 44.) Over 45 days have passed since the SAP was filed. To date, Respondent has not filed a motion to dismiss or an answer, nor has she requested an extension of time in which to do so.

Respondent is **ORDERED TO SHOW CAUSE** why she has failed to file a timely response to the SAP. Respondent must respond in writing to this Order to Show Cause no later than **February 13, 2020**. Alternatively, the Order to Show Cause will discharge automatically upon the filing a motion to dismiss, an answer, or a request for an extension of time in which to file a motion to dismiss or answer supported by a showing of good cause.

It is so ordered.